

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**SAMUEL & STEIN**

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Edgar Velez, on behalf of himself and all  
others similarly situated,

Plaintiff,

- vs. -

Sabor Toribio Restaurant, Inc. d/b/a Sabor  
Toribio, Reynaldo Toribio, and Dania  
Toribio,

Defendants.

DOCKET NO. 16-cv-06117

**MOTION FOR DISMISSAL PURSUANT  
TO FED. R. CIV. PROCEDURE 41(a)(2)**

Plaintiff Edgar Velez, by and through his undersigned attorneys, respectfully requests that the Court dismiss this Action with prejudice, in light of the agreement filed as ECF No. 37 that was approved by the Court on March 12, 2018, pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015).

Respectfully submitted,

/s/ Michael Samuel  
Michael Samuel, Esq.

SAMUEL & STEIN

SO-ORDERED: /s/ Sanket J. Bulsara 7/20/2018  
Hon. Sanket J. Bulsara, U.S.M.J.